

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALVIN SWIGGETT

v.

UPPER MERION TOWNSHIP, ET AL.

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CIVIL ACTION
NO. 08-2604

ORDER

AND NOW, this 2nd day of November 2009, upon consideration of defendant Officer Caldwell's motion in limine and plaintiff's response thereto it is hereby ORDERED that defendant's motion to preclude plaintiff from introducing at trial the testimony of Dorothy Swiggett and the records of plaintiff's family physician Dr. Roger Groves is DENIED in accordance with the accompanying Memorandum. Additionally it is ORDERED that the parties shall present their oral arguments on precluding certain evidence pertaining to Officer Caldwell that is beyond the specific incident involving plaintiff, including subsequent police matters not involving plaintiff and Officer Caldwell's decision to retire from the Upper Merion Township, at the hearing presently scheduled for November 24, 2009.

/s/ Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.